IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 10TH JULY 2007 / 19TH ASHADHA 1929

WP(C).No. 34176 of 2006(S)

OA.586/2005 of CENTRAL ADMINISTRATIVE TRIBUNAL,ERNAKULAM BENCH
.....

PETITIONER: APPLICANT

R.RADHAMONY, W/O.GOPINATHAN,
PART TIME SWEEPER-CUM SCAVENGER,
SUB RECORD OFFICE, RAILWAY MAIL SERVICE,
T V DIVISION, KOTTARAKKARA.

BY ADV. SRI.V.M.KURIAN
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS

RESPONDENTS:
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1. THE CHIEF POST MASTER GENERAL,
KERALA CIRCLE, TRIVANDRUM.

2. THE SENIOR SUPERINTENDENT,
RAILWAY MAIL SERVICE, `TV' DIVISION,
THIRUVANANTHAPURAM-695 036.

3. THE SUB RECORD OFFICER,
RAILWAY MAIL SERVICE, `TV' DIVISION,
KOTTARAKKARA.

BY ADV. SRI.JOHN VARGHESE, ASSISTANT SG
SRI.P.PARAMESWARAN NAIR, ASG

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO.34176/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE ORDER DT.17.4.2001 IN OA NO.1711/1998 PASSED BY CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM.

EXT.P2: TRUE COPY OF THE ORDER DT.14.7.2005 PASSED BY THE 2ND RESPONDENT.

EXT.P3: TRUE COPY OF THE REPLY AFFIDAVIT FILED BY THE RESPONDENTS.

EXT.P4: TRUE COPY OF THE ORDER DT.6.7.2006 IN OA NO.586/2005 PASSED BY THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM.

//TRUE COPY//

K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ.
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W.P(C). NO. 34176 OF 2006
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Dated this the 10th day of July, 2007

J U D G M E N T

Radhakrishnan, J.

This writ petition is filed against the order passed by the Central Administrative Tribunal in OA No.586/2005. Petitioner sought to quash Annexure A2 order and also for a direction to the respondents from reducing the working hours of the petitioner and also for a declaration that the petitioner is entitled to continue as Full time sweeper/scavenger from 1/7/98 with all consequential benefits. Tribunal in our view has not considered the first relief, that is to quash Annexure A2 order as well as the third relief seeking a declaration that the petitioner is entitled to continue as Full time sweeper/scavenger from1/7/98. Second relief was considered by the Tribunal and was rejected. Considering the facts and circumstances of the case, we set aside

the order of the Tribunal and direct Tribunal to reexamine the whole issue afresh. The order of the Tribunal is accordingly set aside.

Writ petition is disposed of as above.

K.S.RADHAKRISHNAN, JUDGE.

ANTONY DOMINIC, JUDGE.

Rp